

BOARD OF SELECTMEN

June 28, 2011

Minutes

The Board of Selectmen met on Tuesday, June 28, 2011 in the Town Hall Clark Room. Those present were Selectmen Douglas A. G. Stevenson, Peter Scavongelli, John Gorecki, John D. Williams and Timothy F. Hult. Town Administrator Timothy D. Goddard was also present.

Town Administrator Report

Mr. Goddard reminded the Board that on Thursday, June 30th there will be an Employee Appreciation Lunch at Town Hall at 12:30 p.m. (sponsored by the Board). Mr. Stevenson said he would be present and would like to read the most updated list of the Town Employees who have worked for more than fifteen years for the Town.

The next items were two change order requests that have been recommended for the Highland Building project. Mr. Goddard said these Change Orders total approximately \$1,700.00.

On a motion made by Mr. Scavongelli and seconded by Mr. Gorecki, it was unanimously **VOTED** that upon the recommendation of the Highland Building Stabilization Committee, the Board approves Change Orders #002 and #003 to the Town's Contract with K&S Builders, Co., Inc. in the amount of \$1,699.19 for the following items:

1. Remove and replace deteriorated porch Framing - \$731.65; and,
2. Remove and replace deteriorated wood sill - \$967.54.

With these change order approvals the new total contract sum shall be \$302,099.59.

Mr. Scavongelli said the deteriorated wood sill was due to carpenter ants, which was unanticipated. He said while the siding was being replaced it was determined that it would be less expensive to replace the porch framing than repair it.

Mr. Goddard said the Caroline Hill Scholarship Committee has made their recommendations for scholarship awards for the 2011-2012 academic year. He said the recommendations were attached to this report.

On a motion made by Mr. Gorecki and seconded by Mr. Williams, it was unanimously **VOTED** to approve the awarding of \$10,500 in scholarships from the Caroline Hill Scholarship Fund for the 2011-2012 academic year, to be dispersed as recommended by the Caroline Hill Scholarship Committee.

Mr. Goddard said the Board would find in their books information relative to MAPC's Sustainable Communities Consortium and Suburban Mobility Transit Study. He said this study is being undertaken in the MAGIC sub region. Mr. Goddard said he discussed the Town's possible participation in this consortium with the Planning Board Administrator George Mansfield and the Council on Aging and Recreation Commission Directors and all believed that there was no downside to joining the consortium. There is no cost to participate, except minimal staff time. Mr. Goddard recommended that the Board join the Metro Boston Sustainable Communities Consortium for the purpose of not only this regional transit study but potentially for other projects as well.

On a motion made by Mr. Williams and seconded by Mr. Gorecki, it was unanimously **VOTED** to participate in the MAGIC Suburban Mobility Transit Study.

In response to Mr. Williams, Mr. Goddard said either he or George Mansfield would attend these meetings on the Town's behalf.

Mr. Goddard said the Wounded Warrior Project (group) has asked permission to conduct a portion of their August 27th bicycle race in the Town of Carlisle. He said the race will travel through portions of Curve Street, Maple Street, Bedford, and Westford Road.

On a motion made Mr. Williams and seconded by Mr. Scavongelli, it was unanimously **VOTED** to approve the Wounded Warrior Project's request to conduct a portion of their August 27, 2011 bicycle race in the Town of Carlisle with the understanding that they shall consult with the Police Department regarding traffic and roadway safety issues and will comply with the Town's policy regarding the marking of bicycle routes.

Mr. Goddard said the Trustees of the Gleason Library have filled-out an application for a One Day License to serve Beer and Wine at a fundraising event that will be held on Saturday, November 5th at the Library. He said the Library Director and the Trustees are here this evening to present their request. Library Trustees Larissa Shyjan, Priscilla Stevens and Steve Golson were present. Chairperson Larissa Shyjan said the event consists of art displays, and some art will be on sale.

On a motion made by Mr. Williams and seconded by Mr. Scavongelli, it was unanimously **VOTED** to approve the request of the Trustees of the Gleason Library for a Special One Day License to serve beer and wine at an event to be held at the Library on Saturday, November 5th with the understanding that the Trustees shall contact the Police Department to determine the necessity of a police detail and shall obtain an appropriate certificate of insurance for this event.

Minutes

On a motion made by Mr. Williams and seconded by Mr. Gorecki, it was unanimously **VOTED** to approve the Minutes to the Board of Selectmen meeting of June 14, 2011.

Liaison Reports

Mr. Gorecki reported on the FinTeam meeting this morning. He said in regard to new growth, the news was not good. He said we were anticipating a figure of \$18million, but the Assessor reported that the latest new growth number is approximately \$13million. Mr. Gorecki said that is a shortfall of about \$5million. He said other budget items seem to be over, so in the long run, this renders us to be on a 'watch'. In response to Mr. Stevenson, Mr. Gorecki said the items that are over are local receipts and state aid. It was agreed that the \$13million would allow us to meet our budget.

Mr. Hult said the CCHS Building Committee had a FAS meeting. They were very positive about what the Building Committee was putting forward in terms of potential strategy.

Mr. Scavongelli said the Highland Building Committee met on site last Tuesday morning [June 21st] for the primary purpose of choosing paint colors for the building. These colors were for the siding, doors and the trim.

Mr. Stevenson said contract negotiations with the Communications Department are ongoing.

Mr. Williams said the next Investment Advisory Committee meeting is scheduled on July 11th. He said this should be the last meeting they have before they make a presentation to the Board.

Police Chief Interviews

Mr. Stevenson expressed his gratitude to the Search Committee and Staff dealing with 50-plus applications.

Mr. Williams, chair of the Search Committee thanked the Search Committee for their hard work. He said there were over 60 resumes and they read each one. Mr. Williams said the members of the committee were: Ken Fong, Tim Goddard, Alan Cameron, Josh Kablotsky, Diane Makovsky, Christie Barbee and our consultant Ken Unsworth from BadgeQuest.

Ken Fong, a police officer in Boston and a resident in Carlisle spoke about the process. He said over the course of six meetings the committee went through the almost 60 resumes. He said some of the minimum qualifications were: the rank of Lieutenant or higher, a minimum of 15 years experience, Law enforcement with 7 years supervisory experience, and a Bachelors Degree in Criminal Justice. Ken said a questionnaire was also placed in the Carlisle *Mosquito*, asking the residents what their expectations were of the new police chief. There were numerous responses to that survey. He said the number of sixty applicants was reduced to forty rather quickly; and then from forty to eighteen applicants. This reduction occurred basically because these applicants were not a good fit. Ken said at this point, all of the 18 applicants had to complete a 14 page application. The number was then reduced to three applicants and an assessment date was scheduled. He

said all three candidates did a great job, however Captain John Fisher stood out from the others. Ken Fong said Capt. Fisher has 22 years of Police experience, and a Bachelors Degree and Masters Degree.

Mr. Stevenson asked Captain Fisher to introduce himself. Capt. Fisher thanked everyone for asking him to come to Carlisle tonight. He spoke about his career in Nashua, NH. Capt. Fisher however felt that moving to Carlisle was the right move for him and his family. He commented that the [police search] process was very professional.

Mr. Stevenson asked Capt. Fisher what attracted him to Carlisle. He replied that the size, texture and value of the community were important. He said he has a friend who has a friend who lives in Carlisle and said it was a great place to live.

Mr. Stevenson asked how his experiences in Nashua might prepare him for what he would expect to find as Police Chief in Carlisle and how he will transition from a big city to a small town. Capt. Fisher said Carlisle could benefit from what he has learned in the City from the Police side.

Mr. Scavongelli pointed out that Capt. Fisher has been with the Nashua Police Department since 1989. He asked why he wanted to leave now. Capt. Fisher replied that there is a Police Chief presently serving and another person ready to take his place.

Mr. Hult thanked Capt. Fisher for doing this public interview. He said that Carlisle is an interesting place. He pointed out that there is not a lot of crime; but there is a little crime. He said what is important here are the kids. Mr. Hult asked Capt. Fisher what he does when a kid gets into trouble. Capt. Fisher talked about his experiences as a youth basketball coach and helping students who finished driver's education.

Mr. Williams asked what his ethical standards for the police department are. Capt. Fisher said the integrity of the police officers is imperative. He said the Police Officers get paid each day for doing what people are supposed to do. He said the first thing is leadership from the front. The officers need to look at who's leading the Police Department. Then there is re-enforcement.

Mr. Gorecki asked him what changes he would make in the police department. Capt. Fisher said he thought it was more important to get here and keep the 'boat' going straight. He thought it was important for the Police Department to have a five year plan.

Mr. Gorecki asked if the laws were different in Nashua than Massachusetts. He asked how Capt. Fisher was going to handle this. Capt. Fisher said there were some differences, but not that many.

Mr. Stevenson asked about his experience with Union negotiations. Capt. Fisher said he had been on both sides of the table. He said there is definitely a way to do this with respect.

Mr. Scavongelli asked him what he sees as the transition process. Capt. Fisher replied that he cannot wait to come to Carlisle. He added that he is not good at hovering. He said it was important to show people that you are loyal to them and they should be loyal to you.

Mr. Williams said this is a low crime community; what is your plan to maintain it as such. Capt. Fisher said it is important to be adamant in our patrol and to stay on top of our game.

Mr. Hult said when you are the Chief and you do not know what to do about something, how do you deal with this. Capt. Fisher said he would dig into his resources.

Mr. Stevenson asked Capt. Fisher to describe the most challenging situation he has been in as a police officer, what you learned from that, and how that might be applicable to being the Chief of our department.

Capt. Fisher said when he thinks about challenging moments, he thinks about the moment that tests a lot of your abilities simultaneously. He gave an example, when something bad happens to a person and you are trying to help that person, but at the same time trying to find the person who is responsible.

Mr. Stevenson also asked a question on budgeting. Capt. Fisher explained how he prepared the budget while working in Nashua.

Mr. Hult asked if you became Police Chief of Carlisle, and decided to leave ten or fifteen years from now, what would you like people to say about your tenure. Capt. Fisher said he would like to leave a legacy of professionalism and respect from the people in the Town and the people he worked with. Capt. Fisher said it is important to leave a place better than you found it and to have some benchmarks to look back on.

Mr. Stevenson said the Board had three options: 1) if they are not pleased with the candidate [ask the committee to suggest other candidates]; 2) if pleased, enter into contract negotiations with Capt. Fisher; and, 3) if they need more time, more information about Capt. Fisher, then postpone the decision to a further date.

Mr. Scavongelli and Mr. Williams said they were ready to vote in favor of Capt. Fisher. Mr. Gorecki said he was very impressed with Capt. Fisher's integrity and leadership and overall professionalism. Mr. Hult said he was incredibly impressed with Capt. Fisher and believes he would be an excellent Chief. Mr. Stevenson said he was impressed with Capt. Fisher's experience from patrolman and all the way through the ranks.

On a motion made by Mr. Williams and seconded by Mr. Gorecki, it was unanimously **VOTED** to appoint John Fisher as the next Police Chief of Carlisle, Massachusetts, with the following conditions: a successful background check, pre-employment physical and successful contract negotiations.

Minuteman Tech Update

Mariellen Perugini, the Town's representative to the Minuteman Tech was present to give an update on the Minuteman Capital Project. Mr. Stevenson said he wanted to make sure everyone understood that the Board of Selectmen is completely supportive of the project but have concerns about the process. Mariellen said it was her understanding that the Board wanted to know where things stand in regard to proposed changes to the Regional agreement. She said when the Feasibility Study was passed at the Spring Town Meeting, 2011; one of the Town's edited the language in the Warrant Article to say that the Regional Agreement needed to be examined. She said MSBA noticed that and wrote a letter, stating that in order for MSBA to proceed with Minuteman and the Feasibility Study, the Regional Agreement need to be examined.

Mariellen said a Task Force was appointed by the School Committee [Carlisle's representative is Thornton Ash] to exam various aspects of the agreement.

Mariellen spoke about the capital apportionment model and how the 16 member towns will pay for the building project. She said the initial model was as follows: each of the 16 towns would have a 3% cost for a capital improvement project [$3 \times 16 = 48\%$] so the remaining 52% would be based on enrollment. She said instead of using Oct. 1st as the enrollment date, it would be a three-year rolling average. Mariellen said the model was considered disproportionate to many towns.

The School Committee asked the Regional Agreement Task Force to come up with something else.

Mariellen said the next Model presented was Model B [attached hereto]. Carlisle's cost would be approximately \$10,000.00 more.

Mr. Stevenson asked what she sees as happening next. Mariellen said she is anticipating that the Reg. School Committee will vote to support Model B by a majority vote. The plan is to push it through the Towns. Mr. Stevenson said so at this point the Superintendent and proponents of Model B are conceding that changes to the Agreement would require unanimity among all 16 Towns in the form of a Town Meeting vote. Mariellen said she believed so.

Mr. Stevenson said the first thing we need to do is come to an understanding of the issue and see if we are in agreement with not supporting Model B and if we want to see other alternatives on the table. We certainly would like to see the Regional Agreement upheld. Mr. Stevenson asked the Board if they wanted to pursue communication with other communities for a consensus. He asked the Board which direction they would like to pursue.

Mr. Hult said the real issue is the 40% of outside students. This needs to be addressed before the Towns move forward on this.

Mr. Stevenson asked Mariellen for names of communities that are like-minded. He thanked her for all of her hard work.

Banta Davis Master Plan Committee Charge

Mr. Stevenson said at a Carlisle Housing Trust Meeting about six weeks ago there was a discussion about sites for affordable housing and the potential use of the Banta Davis partial. He said it was of interest because of the underground Wastewater Treatment Facility and pathway connection. He said the Housing Trust voted to suggest to the Board of Selectmen to establish a Master Plan Committee /Task Force to take a look at the Banta Davis partial and study its purposes for which it was originally purchased and determine if housing would be an option on that property and at the same if the property could accommodate these uses.

Mr. Stevenson prepared a draft charge/purpose for the Banta Davis Master Plan Committee. Some of the ideas included in the draft were the following:

- Study the possible uses of the Banta Davis property with an emphasis on establishing the site for affordable housing units. The Task Force shall take into consideration all past designated uses and current uses as well as all Master Plans and Master Development Plans that have been undertaken for the Banta Davis property, including the original purpose of the purchase.
- Suggest that the Banta Davis Master Plan Committee report to the Board of Selectmen at the end of a 6 month period.
- Composition of the committee would include a member of the Board of Selectmen, School Committee member, Planning Board member, Recreation Commission member, a Housing Authority member, Housing Trust member and two members from the community at large.

Mr. Stevenson asked the Board for their thoughts on the above draft.

Mr. Scavongelli asked if this was going to be an affordable housing project. Mr. Stevenson said this would be units to qualify under 40B.

Mr. Williams said some units need to be family units.

Mr. Stevenson said that Banta Davis was originally purchased for expansion of the School facilities and Cemetery expansion and/or DPW expansion. He said however Banta Davis has been commonly known for playing/recreation fields.

Mr. Hult said it should stay as affordable housing because it is on Town-owned land.

Mr. Williams suggested that a member of the Board of Health should be on the committee. Mr. Stevenson was not sure if they were needed.

Mr. Scavongelli said he was a little skeptical about having affordable housing on the Banta Davis property. Regardless of what the original purpose of the land was, it is what it has become, which is a recreation field. He said now it seems the motivation is the WWTF that is under-used. He was concerned about the validity of this. Mr. Stevenson said we are trying to see if this is a viable situation and if it is a possibility.

It was noted that the Committee should discuss and report the impact it would have on various stakeholders.

Alan Lehotsky, Chair of the Carlisle Housing Authority suggested that in regard to the recreation part of Banta Davis that one of the things we should anticipate is to duplicate any fields that are impacted.

David Freedman, Chair of Planning Board, asked how many meeting would be involved in the Banta Davis Committee within 6 months. Mr. Stevenson said if the Committee starts meeting in September, it would require a once or at the most twice a month meeting schedule

In terms of members Mr. Stevenson asked the Board to agree to not more than seven committee members.

Mr. Williams offered to assist Mr. Stevenson in completing this document for the next meeting.

Approve FY12 Payroll Changes

Mr. Goddard said he reviewed the attached FY12 Payroll Changes with Town Accountant Priscilla Dumka and they reflect the 2% cost of living adjustment that this Board approved for non-union Town employees, also the 1.5% increase for the police officers. The list was reviewed and approved by the Personnel Board. Diane Makovsky and Mark Hersey from the Personnel Board were present tonight. He said there was one issue that was discussed at length and that was the stipends. The question was: should stipends be subject to cost of living adjustments. The Personnel Board wanted the Board to be aware of that concern. Diane Makovsky spoke to the Board. She said historically they have been increased. Mr. Hult said it seems that it is a relatively small amount of money that we are talking about. Mr. Hult and Mr. Williams suggested that the Personnel Board do some research on stipends. This matter will be addressed next year.

On a motion made by Mr. Gorecki and seconded by Mr. Williams, it was unanimously **VOTED** to set the wages and pay as indicted on the document dated 6/21/11[excluding the Fire Dept.], entitled 'Proposed FY2012 Payroll Changes'.

(Mr. Stevenson recused himself from this portion of the discussion) Mr. Scavongelli temporarily took over as chair. On a motion made by Mr. Gorecki and seconded by Mr. Williams, it was **VOTED 4 -0** to set the FY 2012 wages and payroll [for the Fire Department] as indicated on the 6/23/2011 Proposed FY 2012 Payroll Changes document before us.

Board of Selectmen

June 28, 2011

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Approved: July 26, 2011

Annual Appointments

On a motion made by Mr. Williams and seconded by Mr. Gorecki, it was unanimously **VOTED** to appoint David Verrill to the Finance Committee for a one year term that will end June 30, 2012.

On a motion made by Mr. Williams and seconded by Mr. Gorecki, it was unanimously **VOTED** to re-appoint Patricia Koenitzer as a non-voting member to the Cultural Council for a two year term that will end on June 30, 2013.

On a motion made by Mr. Williams and seconded by Mr. Gorecki, it was unanimously **VOTED** to appoint Lura Taylor to the Cultural Council for two year term that will end on June 30, 2013.

On a motion made by Mr. Williams and seconded by Mr. Gorecki, it was unanimously **VOTED** to re-appoint the following to the Carlisle Cable Advisory Committee for a one year term that will end June 30, 2012: Justin Romeo, Michael Tattersall and William R. Tice, Jr.

On a motion made by Mr. Williams and seconded by Mr. Gorecki, it was unanimously **VOTED** to appoint Timothy Goddard to the Lowell Regional Transit Authority Advisory Board for a one year term that will end June 30, 2012.

Executive Session

At 10:10 a motion was made by Mr. Williams to go into Executive Session pursuant to MGL Ch. 30A. §21(a) (3) to discuss strategy pertaining to litigation as discussing the matter in open session would have a detrimental effect on the Town's litigating position; and not return to open session.

Respectfully submitted by Margaret deMare.